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I hereby certify that this correspondence is being transmitted to the Commissioner for Patents in the US Patent and Trademark Office via First Class Mail with the U.S. Postal Service on April 24, 2006.

Erich Herpin 47288
Name of Attorney/Agent Registration No.
[Signature]
Signature of Attorney or Agent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/902,144
Applicant(s) : Sean M. Kane
Filed : July 10, 2001
Title : Methods, Functional Data and Systems for Optimizing
Product Factors.
TC/A.U. : 3623
Examiner : Romain Jeanty
Conf. No. : 5453
Docket No. : 8633
Customer No. : 27752

NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES
Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner. The fee for this Notice of Appeal is \$500.00 (37 CFR 41.20(b)(1)).

The Director is hereby authorized to charge the above fees, or any additional fees that may be required, or credit any overpayment to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. An additional copy of this Notice is enclosed for that purpose.

I am:

☒ an attorney or agent of record.

☐ an attorney or agent acting under 37 CFR 1.34(a).

☐ authorized to act on behalf of the assignee of record of the entire interest, The Procter & Gamble Company. See 37 CFR 3.71. The assignment was recorded on at reel frame .

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY



Signature

Erich D. Hemm

Typed or printed name

Registration No. 47,286

(513) 634-8960

Date: April 24, 2006

Customer No. 27752

(Appnot.doc) (Last Revised 8/3/2005)